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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CALVIN LINCOLN, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

MX TECHNOLOGIES, INC.,

Defendant.

Case No. 2:23-cv-00806-MCE-KJN

**STIPULATION AND ORDER SETTING
SCHEDULE TO FILE OPPOSITIONS
AND REPLIES TO DEFENDANT'S
MOTIONS TO DISMISS [ECF NO. 25]
AND TRANSFER [ECF NO. 26]**

STIPULATION

Plaintiff Calvin Lincoln and Defendant MX Technologies, Inc. (collectively, the “Parties”) respectfully submit this request pursuant to Rule 16(b)(4) of the Federal Code of Civil Procedure, which authorizes amendments to a scheduling order for good cause and with the Court’s consent. In support of this joint request, the Parties provide the following background information for the Court’s consideration:

Plaintiff filed his Complaint on April 28, 2023. Dkt. No. 1. Following a meet-and-confer session regarding Defendant’s anticipated Rule 12(b)(6) motion to dismiss, Plaintiff decided to file an Amended Complaint on July 28, 2023. The Court also entered a briefing schedule regarding Defendant’s Motions to Transfer and Dismiss the First Amended Complaint. Dkt. No. 24. After Plaintiff reviewed Defendant’s motions, the Parties met and conferred about the issues in the case, and agreed to modify the scheduling order to grant Plaintiff an additional week to file oppositions and Defendant an additional week to file replies.

NOW, THEREFORE, THE PARTIES STIPULATE AS FOLLOWS to respectfully request that:

1. The Court should set October 13, 2023, as the deadline for Plaintiff to file oppositions to Defendant’s Motions to Transfer Venue and Dismiss;
2. The Court should set November 10, 2023, as the deadline for Defendant to reply to Plaintiff’s oppositions to Defendant’s Motions to Transfer and Dismiss.

Dated: September 28, 2023

BURSOR & FISHER, P.A.

By: /s/ Stefan Bogdanovich
Stefan Bogdanovich
Attorney for Plaintiff
Calvin Lincoln

Dated: September 27, 2023

**WILSON SONSINI GOODRICH & ROSATI
Professional Corporation**

By: /s/ Trevor Templeton (as authorized 9/27/23)
Trevor Templeton
Attorneys for Defendant
MX Technologies, Inc.

ORDER

Having considered the Parties' Stipulation and good cause therefore appearing, IT IS
HEREBY ORDERED that: (1) Plaintiff's deadline to file its oppositions to Defendant's Motions to
Transfer Venue and Dismiss in this action is set for October 13, 2023; and (2) Defendant's
deadline to reply to Plaintiff's oppositions is November 10, 2023.

IT IS SO ORDERED.

Dated: September 28, 2023



MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE